

FILED

SEP 18 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GUANG LIANG CHEN,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-76040

Agency No. A79-784-610

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted September 11, 2006^{**}

Before: PREGERSON, T.G. NELSON, and GRABER, Circuit Judges.

Guang Liang Chen, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order affirming without opinion an immigration judge's ("IJ") decision denying his applications for asylum, withholding of

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

removal and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *see Kaur v. Gonzales*, 418 F.3d 1061, 1064 (9th Cir. 2005), and deny the petition for review.

Substantial evidence supports the IJ’s adverse credibility determination. Chen’s testimony was internally inconsistent regarding his wife’s alleged abortion, the central event of Chen’s asylum claim. *See Li v. Ashcroft*, 378 F.3d 959, 962 (9th Cir. 2004). Finally, we give special deference to the IJ’s demeanor finding because the IJ relied on “non-verbal factors . . . [that he] explicitly described in [his] opinion.” *Id.* at 1137.

In the absence of credible testimony, Chen has failed to establish eligibility for asylum, withholding and CAT protection. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156-57 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.